



February 11, 2005

SENATE BILL No. 54

DIGEST OF SB 54 (Updated February 8, 2005 2:03 pm - DI 106)

Citations Affected: IC 34-30; noncode.

Synopsis: Immunity for uncompensated health services. Provides immunity from civil liability for certain health care providers providing certain services without compensation.

Effective: July 1, 2005.

Riegsecker, Howard

January 4, 2005, read first time and referred to Committee on Corrections, Criminal, and Civil Matters.
February 10, 2005, amended, reported favorably — Do Pass.

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SB 54—LS 6413/DI 97+



February 11, 2005

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

SENATE BILL No. 54

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 34-30-13-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. Except as provided
3 in section 2 of this chapter, a person who meets the following criteria
4 is immune from civil liability resulting from any act or omission
5 relating to the provision of health care services:

6 (1) Has licensure to provide health care services under Indiana
7 law.

8 (2) Voluntarily provides without compensation health care
9 services under IC 36-1-14.2 within the scope of the person's
10 license to another person.

11 (3) Provides the health care services at any medical clinic or
12 health care facility that **provides health care services without**
13 **charge and that:**

14 (A) purchases professional liability insurance under
15 IC 36-1-14.2; ~~and or~~

16 ~~(B) provides the health care services without charge;~~

17 **(B) is covered under 42 U.S.C. 233.**

SB 54—LS 6413/DI 97+



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1 SECTION 2. [EFFECTIVE JULY 1, 2005] **IC 34-30-13-1, as**
2 **amended by this act, applies to a cause of action that arises after**
3 **June 30, 2005.**

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SENATE MOTION

Madam President: I move that Senator Howard be added as coauthor of Senate Bill 54.

RIEGSECKER

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COMMITTEE REPORT

Madam President: The Senate Committee on Corrections, Criminal, and Civil Matters, to which was referred Senate Bill No. 54, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 9, reset in roman "under IC 36-1-14.2".

Page 1, reset in roman lines 11 through 12.

Page 1, line 12, delete ":" and insert "**provides health care services without charge and that:**".

Page 1, reset in roman line 13.

Page 1, line 14, reset in roman "IC 36-1-14.2;"

Page 1, line 14, after "and" insert "**or**".

Page 1, between lines 15 and 16, begin a new line double block indented and insert:

"(B) is covered under 42 U.S.C. 233."

Page 1, delete lines 16 through 17.

Page 2, delete lines 1 through 27.

Page 2, line 28, after "IC 34-30-13-1" insert ",".

Page 2, line 28, delete "and".

Page 2, line 29, delete "IC 34-30-13-2, both".

Page 2, line 29, delete "and IC 34-30-13-1.5,".

Page 2, line 30, delete "as added by this act, apply" and insert "**applies**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 54 as introduced.)

LONG, Chairperson

Committee Vote: Yeas 6, Nays 0.

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